



# 2005 Election Reform Package

SECRETARY OF STATE SAM REED

The historically close nature of the 2004 gubernatorial election has shaken the confidence of Washington's voters and it is vital that the Legislature and state election administrators act swiftly to correct the challenges that exist in order to restore public confidence in our voting process. The following election reform measures introduced by the Office of the Secretary of State, and adopted by the 2005 Washington State Legislature, are making progress towards this goal.

## State-wide Voter Registration System Authorized and Funded

Secretary of State proposal to advance election technology in an effort to develop more accurate voter registration rolls was adopted by the Washington State Legislature in 2002 and funded by the Federal government in 2004; it will become operational in 2006. This will be the first time that the state of Washington has been authorized to merge the 39 separate county registration rolls into one comprehensive voter registration data base. The state-wide data base will allow election workers to identify those registered in multiple counties and will require state agencies such as the Washington State Patrol, Department of Corrections, Administrator of the Courts and Department of Health to share information with the Office of the Secretary of State regarding felony conviction and death notices.

## Voter Registration Requirements Toughened

- Those working to register voters are now required to ask if those registering are **U.S. citizens** and whether or not those registering will be **18 years of age** at the time of the next election. They must receive affirmative answers to both before commencing with the registration
- Requires the registration application form to include a checkbox asserting citizenship
- Requires the application form to clearly and conspicuously state that you must be a U.S. citizen to vote and have a clear warning that it is a class C felony to register to vote illegally
- Requires relevant state agencies to share information pertaining to **felons and deceased citizens**
- Mandates that the Department of Licensing provide the Office of the Secretary of State full access to the state driver's license signature and image database
- Requires checking against the statewide database for duplicate registrations before completing a registration
- Requires check-box on voter registration form identifying **military and overseas voters**
- Clarifies that a **felon** must be notified at the time of sentencing that the right to vote has been lost, that his or her voter registration will be cancelled, that voting before the right is restored is a felony, and how to get the right restored
- Clarifies that **destroying, altering or discarding a completed voter registration form** or provisional ballot signature affidavit is a gross misdemeanor

## County Legislative Bodies Permitted to Choose All Mail Voting

The county auditor is allowed to conduct all elections entirely by mail with express authorization from the county legislative authority. This will allow for a single system of elections to be conducted in participating counties, dramatically reducing county election costs and limiting election worker errors.

## Ballot Processing Procedures Clarified

- Requires poll workers to request voter **identification**, and agency rules will require election workers to first ask for **photo identification**
- Requires that **provisional** and absentee ballots be visually distinguishable from poll-site ballots and not countable at poll-site counting machines
- Ensures that only **canvassing boards** can reject ballots
- Requires state-wide signature verification standards, and training for people who verify signatures
- Standardizes procedures for curing **missing or mismatched signatures**

### **Ballot Processing Procedures (Continued)**

- Prohibits curing mismatched or missing signatures during the course of a recount
- Allows Secretary of State to require all county **recount results** to be **submitted on the same day**
- Requires clear statements on envelopes saying **it is illegal to vote** if you are not a citizen, a felon who has not had their voting rights restored, or to vote or sign on behalf of someone else
- Requires that counties develop mechanisms that will allow those that vote by provisional ballot to determine whether or not their **vote has been counted**
- **Prohibits ballot enhancement** and sets in statute standards for ballot duplication
- Creates a **class C felony** for submitting multiple ballots

### **Secretary of State Granted Authority to Review County Election Procedures**

This Secretary of State request bill returned authority and funding to the Secretary of State's review function. The Secretary of State is now required to review each county's elections procedures at least once every three years. Counties are required to respond to review findings in writing, listing the steps that will be taken to correct any problems. The Secretary of State will then return to the reviewed county prior to the next primary or general election to verify that corrective measures have been taken.

## **Focus for Future Reforms**

The election reform measures passed by the 2005 Washington State Legislature are some of the most significant adopted by this state in a single session. They have laid the groundwork for significant change in our voting system and the citizens of Washington should feel confident that these reforms will lead to lasting improvements. However, the conclusion of the contested election case highlighted the need for future reform. These reforms will take place at both the county and state level. Here are just a few reforms that will be the focus of 2006.

### **Moving the Date of Washington's Primary Election**

The close proximity of the date of the primary to the date of the general election is a major contributor to many of the problems in our current system. Barring any complications, election workers have only 19 days between the primary election certification date and the mailing date for the general election absentee ballots. Election workers must have more time to ensure that military and overseas voters are given the opportunity to participate in the elections process. Unfortunately, the Secretary of State request bill that would have moved the date of the primary to August was not adopted by the Washington State Legislature. The elections community feels strongly that this remains a necessary reform and we will continue to advocate for its adoption.

### **King County Election Procedures**

The mistakes and grievous errors that were committed in King County have been the biggest contributor to the loss of voter confidence in Washington State. Because elections are administered at the county level, the extent of the problems in King County were not clear until the 2004 election. Although the Office of the Secretary of State must limit its involvement due to constitutional restrictions, the County's willingness to participate in a contracted organizational study and two separate elections commissions is certainly encouraging. It is also recommended that King County consolidate current operations to a single structure and hire an adequate number of staff with the appropriate level of experience in election administration.